

EXHIBIT 1

UNITED STATES OF AMERICA,

Plaintiff,

vs.

0.41 ACRES OF LAND, MORE OR LESS,

SITUATE IN SANTA CRUZ COUNTY, STATE OF

ARIZONA, AND ANTHONY J. HANNA, ET AL.,

Defendants.

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) AFFIDAVIT IN SUPPORT OF
) MOTION FOR IMMEDIATE POSSESSION
) TO CONSTRUCT
)
) CIVIL NO.
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1. I am employed as Director, Border Patrol Facilities and Tactical Infrastructure Program Management Office, Facilities Management and Engineering, Office of Administration with U.S. Customs and Border Protection ("CBP"). I make this declaration based on my personal knowledge of the matters recited, or based upon information available to me from the files maintained by my office in this matter.


2. The United States has a vital interest in controlling its international borders. As part of the ongoing effort to secure the borders and reduce illegal immigration, Congress has directed the construction of fencing, additional physical barriers, roads, lighting, cameras, sensors and related infrastructure along the United States' southwestern border. Illegal

Immigration Reform and Immigrant Responsibility Act of 1996 ("IIRIRA"), Public Law 104-208, Div. C, 110 Stat. 3009-546, 3009-554 (Sept. 30, 1996), codified as amended by the REAL ID Act of 2005, Public Law 109-13, Div. B, 119 Stat. 231, 302, 306 (May 11, 2005), the Secure Fence Act of 2006, Public Law 109-367, § 3, 120 Stat. 2638 (Oct. 26, 2006), and the Consolidated Appropriations Act of 2008, Public Law 110-161, Div. E, Title V, § 564, 121 Stat. 2090 (Dec. 26, 2007), at 8 U.S.C. § 1103 and note.

3. My agency has determined that the subject property is an appropriate location for the construction of a road that is needed to access a border security tower and associated facilities. The purpose of this tower project is to improve CBP's detection, identification, and apprehension of cross-border violators in this geographic area. Specifically, this tower will provide CBP with information that will allow for a more focused, efficient, and effective use of Border Patrol resources in the interdiction of cross-border violators.

4. The United States has already awarded a contract through the United States Army Corps of Engineers (USACE), on behalf of CBP, to construct the road that will be used to access this tower and to conduct site preparation work for the tower site. If possession of the subject property is not granted by June 14, 2013, CBP will not be able to complete the construction of the access road and site preparation work under this existing contract. This will delay road construction and tower site preparation as well as the ultimate installation of this important border security tower and associated facilities.

I declare, pursuant to 28 U.S.C. § 1746, that the above information is true and correct to the best of my knowledge, information and belief, under penalty of perjury. I further declare that this Declaration was executed on this 5th day of June, 2013, in Washington, D.C.

A handwritten signature in black ink, appearing to read "Loren Flossman", written over a horizontal line.

Loren Flossman
